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Attorneys for Defendant KELLY VAN
 HALEN

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

ELVH, INC., a California corporation,
 Plaintiff,
 vs.
 KELLY VAN HALEN, an individual,
 Defendant.

CASE NO. 13-CV7524 MRW-PJW
The Hon. Michael W. Fitzgerald

**STIPULATION TO SET ASIDE
 ENTRY OF DEFAULT**

Trial Date: None Set

It is hereby stipulated by and between Plaintiff ELVH, Inc. ("Plaintiff") and Defendant Kelly Van Halen ("Defendant") by and through their counsel of record, as follows:

WHEREAS, on or about October 10, 2013, Plaintiff filed its Complaint in this action against Defendant.

WHEREAS, on November 15, 2013, Plaintiff made a Request for Entry of Default to the Court against Defendant (ECF 13 and 14).

WHEREAS, on November 18, 2013, the Clerk of the Court entered the Clerks' Entry of Default against Defendant (ECF 17).

WHEREAS, in light of the Clerk's Entry of Default, on December 6, 2013, the Court set an Order to Show Cause Re Default Judgment for January 27, 2014 at

1 11:00 a.m. (ECF 19) ("OSC").

2 WHEREAS, on or about December 9, 2013, Plaintiff brought its Motion for
3 Default Judgment against Defendant (ECF 22).

4 WHEREAS, on or about December 10, 2013, the Court vacated the OSC
5 (ECF 23) and set Plaintiff's Motion for Default Judgment for hearing on January 27,
6 2014, at 10:00 a.m. (ECF 24).

7 WHEREAS, the parties have met and conferred regarding the entry of default
8 and have agreed that it is appropriate to stipulate to set aside the Clerk's Entry of
9 Default, to vacate the January 27, 2014, hearing on Plaintiff's Motion for Default
10 Judgment, and to allow Defendant until January 6, 2014, to file a response to the
11 Complaint.

12 THEREFORE, the parties agree and stipulate as follows:

13 1. The Clerk's Entry of Default against Defendant shall be set aside.

14 2. The January 27, 2014, hearing on Plaintiff's Motion for Default
15 Judgment shall be vacated and taken off calendar.

16 3. Defendant shall file a response to Plaintiff's Complaint on or before
17 January 6, 2014.

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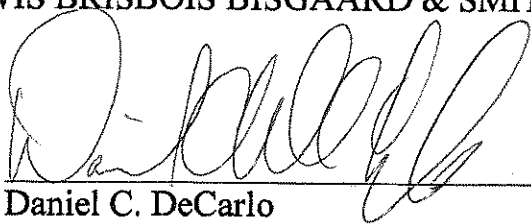
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1 DATED: December 23, 2013

DANIEL C. DECARLO
ROBERT M. COLLINS
LEWIS BRISBOIS BISGAARD & SMITH LLP

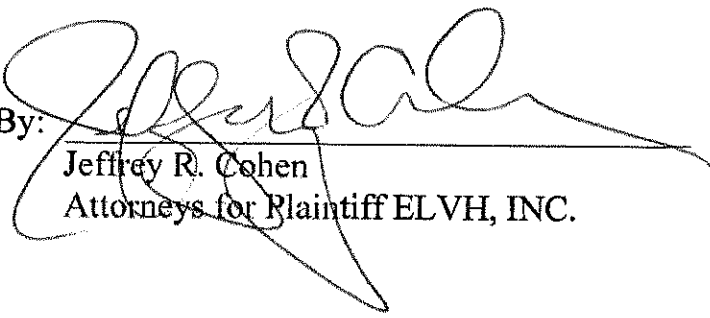
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5 By:


Daniel C. DeCarlo
Attorneys for Defendant KELLY VAN
HALEN

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8 DATED: December 23, 2013

9 JEFFREY R. COHEN
MILLEN WHITE ZELANO & BRANIGAN
P.C.

10
11
12 By:


Jeffrey R. Cohen
Attorneys for Plaintiff ELVH, INC.